

VZCZCXRO8968
PP RUEHBZ RUEH DU RUEHGI RUEHJO RUEHMA RUEHMR RUEHPA RUEHRN RUEHTRO
DE RUEHAN #0526/01 1970957
ZNR UUUUU ZZH
P 160957Z JUL 09
FM AMEMBASSY ANTANANARIVO
TO RUEHC/SECSTATE WASHDC PRIORITY 2664
INFO RUEHZO/AFRICAN UNION COLLECTIVE PRIORITY
RUCPDO/DEPT OF COMMERCE WASHDC PRIORITY
RUEATRS/DEPT OF TREASURY WASHDC PRIORITY

UNCLAS SECTION 01 OF 04 ANTANANARIVO 000526

SENSITIVE
SIPDIS

STATE FOR AF/EPS AND AF/E - MBEYZEROV
ADDIS FOR USAU - JMAYBURY
ADDIS FOR AMBASSADOR YAMAMOTO

E.O. 12958: N/A
TAGS: [PGOV](#) [PREL](#) [MA](#)
SUBJECT: MADAGASCAR: PROPOSED TALKING POINTS FOR JULY 22
ICG MEETING

REF: ANTANANARIVO 304

1. (SBU) Summary: The second consultative meeting of the international contact group (ICG) on Madagascar will be hosted by the African Union in Addis Ababa July 22. This meeting presents an opportunity to shore up cohesiveness within the international community to ensure that all ICG members continue to send consistent, unified signals to the de facto transition government (HAT) and other Malagasy parties. Paragraph three contains suggested talking points for use at the meeting, and paragraph four provides reference background on relevant events since the first ICG consultative meeting April 30th. End summary.

2. (SBU) The second consultative meeting of the international contact group (ICG) on the situation in Madagascar will be hosted by the African Union in Addis Ababa July 22. ICG members (EU, Indian Ocean Commission, OIF, SADC, UN, Security Council Perm 5 and 3 African non-permanent members, and possibly also COMESA) will discuss efforts to return to constitutional order in Madagascar since the first consultative meeting of April 30 (reftel). Several ICG members are planning to send senior representatives from their capitals to attend the meeting. Notably, France, which is highly engaged in an ambivalent way on the ground here, reportedly plans to send Stephane Gompertz, A/S equivalent for Africa at the Quai d'Orsay. The Ambassador was informed by the leaders of the TIM delegation that all four Malagasy delegations had been invited by AU Envoy Ablasse Ouedraogo to attend a session on July 21 or 22, perhaps indicating that the AU intends to try to maintain its lead role in the negotiations. The four envoys (former Swazi Prime Minister Themba Dlamini of SADC, Ouedraogo for the AU, former Malian Foreign Minister Tiebile Drame for the UN, and former Togolese Prime Minister Edem Kodjo of the OIF) will also meet on July 21, presumably to sort out leadership questions between the AU and SADC in the negotiation process. SADC has staked out a claim to this position by naming former Mozambican President Chissano as its mediator (rather than a simple "envoy"), bolstered by a team including Dlamini, a former foreign minister of Mozambique, a former defense minister of South Africa, and legal experts from Angola and Mauritius.

3. (SBU) This ICG meeting presents an opportunity to shore up solidarity within the international community to ensure that all members are sending the same signals to the Malagasy transition authority (HAT) and other political actors. In our view, it is important to support SADC, the regional entity, as the lead mediator in this process, while ensuring meaningful but subordinate roles for the AU, UN and others. Without cohesiveness among the mediators and among the international community, the ICG negotiation process has

little chance of success. During the ICG meeting, U.S. officials should urge all members to refrain from taking actions that legitimize the HAT and should encourage all members to pressure the HAT to engage in negotiations rather than moving unilaterally towards elections. While time is important and the situation here remains urgent (in part, because of the AGOA eligibility timetable and the devastating impact of AGOA ineligibility on the local economy), it is more important to hold elections in a consensual manner, even if so doing delays the process; the alternative of early but illegitimate elections will solve nothing and must be avoided. Following are suggested talking points for use by U.S. officials during the ICG meeting:

-- The U.S. thanks the AU for convening this meeting. We continue to support the AU, SADC, UN, and the OIF in their efforts to promote the restoration of constitutional order and the rule of law in Madagascar. We applaud the tireless efforts of the mediation team during May and June to move this process forward, as well as the efforts of SADC Mediator Chissano this month to usher the Malagasy delegations back to the negotiating table. We support SADC's assumption of the lead role in the negotiations as the relevant regional organization, closest to the situation on the ground.

-- The U.S. views this situation in the context of the recent, alarming increase in the incidence of coups d'etat in Africa and applauds the AU for its strong leadership in condemning and sanctioning all unconstitutional changes of power.

-- We reiterate the views expressed by the ICG members in

ANTANANARI 00000526 002 OF 004

April that a consensual political process leading to free, fair, and unbiased presidential elections at the earliest possible date is the only way out of the present crisis. Unilaterally-organized elections will not be viewed as legitimate by the other political factions and the international community, and will only perpetuate the cycle of political crises in Madagascar, with an attendant risk of renewed violence.

-- We reiterate the points made in an April 24 joint AU-UN communiqué in Antananarivo expressing deep concern about ongoing intimidation, calling for the parties to engage in dialogue, and reminding of the importance of respecting human rights in Madagascar. We remain deeply concerned about the suppression of media freedoms and arrests of political prisoners by the high transition authority (HAT).

-- We therefore call on the HAT to take concrete steps as soon as possible to re-establish the rule of law in Madagascar. Doing so is critical to creating a climate for reconciliation among the parties, and is also a pre-requisite for the renewal of AGOA eligibility on which many jobs and a large part of Madagascar's export economy depend. Meeting the established criteria for AGOA eligibility is the responsibility of the Malagasy authorities, not the USG.

-- At the same time, we call on all parties to this political impasse to compromise, to avoid upping the ante with additional, often peripheral demands, and to desist from all actions and statements that complicate or aggravate the delicate political situation in Madagascar.

-- Finally, the U.S. expresses our view that the Group and its members should continue to act in a concerted manner to put pressure on the illegal authorities in Madagascar, as well as on the other political movements, to seriously engage in negotiations with a view to achieving consensus and moving rapidly to restore constitutional order. We encourage all Group members to continue their isolation and/or non-recognition of the HAT, in their words and in their deeds.

-- While maintaining humanitarian programs essential to the well-being of the Malagasy people, many of Madagascar's partners, both bilateral and multilateral, have suspended their non-humanitarian assistance to the illegal authorities, as has the USG. This useful approach gives teeth, leverage, and consequences to our declarations and should therefore be continued until concrete actions by the HAT merit a change. Continuation of military assistance to the HAT seems particularly inappropriate under the circumstances.

14. (SBU) For background and easy reference during the meeting, the following is a timeline of key events pertaining to the Malagasy crisis since the last ICG meeting on April 30:

- May 2: The ICG issued a communiqué underlining "the imperative for a rapid return to constitutional order through a consensual process involving all the Malagasy political actors and based on respect for the relevant provisions of the Constitution". ICG members agreed to support the "process of restoring constitutional order under the auspices of the AU." The communiqué outlined the following objectives: "a clear calendar towards holding free, fair, and transparent elections involving all stakeholders under a neutral electoral body including representatives of all political camps . . .including President Marc Ravalomanana. . . in the search for a solution; promotion of consensus among the Malagasy parties; respect for the Constitution of Madagascar; compliance with relevant AU instruments and the international commitments of Madagascar. The participants emphasized the risks associated with any unilateral move to legitimize the unconstitutional change that occurred in Madagascar and urged the de facto authorities and other Malagasy parties to place the interests of Madagascar and the search for consensus above all other considerations."

- May - July: ICG member representatives in Madagascar met with the High Commissioner on Human Rights May 15, with visiting EU representatives May 18, and the Swedish Ambassador to the EU July 13. The AU convened the ICG for four meetings between May and July to discuss the status of negotiations.

- June 8: COMESA, which has not been involved in mediation

ANTANANARI 00000526 003 OF 004

efforts, issued an unhelpful communiqué following its 13th summit in which it called for the return to constitutional rule by the return of the democratically elected government and "agreed as pronounced by the AU to fully support SADC as they take a lead in their efforts to restore constitutional order in Madagascar by examining all options including the possibility of military intervention." (Note: The March 30 SADC Communique actually made no/no explicit reference to any military option; rather it referred vaguely, in article 18, to considering "other options to restore constitutional normalcy.")

- June 16: The AU and UN envoys announced that the negotiations were suspended due to the parties' inability to reach an agreement on the terms of an amnesty. Prior to the suspension of negotiations, the four movements had agreed on the basic structure of a transition government, but not on how to allocate positions, including that of transition president. According to AU principles, with which we agree, the leader of the transition government should not be able to run for president. HAT president Andry Rajoelina agreed that he would not run, but retracted his statement the following day. He then agreed that he would not run only if the other movement leaders agreed also to not run, which they have never accepted.

- June 17: The State Department issued the following press release: The United States regrets the suspension of the African Union- and United Nations-led mediation process in Madagascar. We applaud the tireless efforts of the mediation team to move the process forward, and continue to urge all

parties to rapidly return to the negotiating table and come to agreement on the elements of a consensual transition government. We continue to believe that the only way to resolve this crisis is through a consensual political process leading to elections at the earliest possible date. We condemn the unconstitutional actions that led to the current situation, and categorically reject the use of force as a means to resolve this crisis. We remain impartial and will not support unilateral solutions by particular political factions, as such moves would not produce a lasting solution based on credible, unbiased elections."

- June 20: SADC convened an emergency meeting on Madagascar, during which it nominated former Mozambican President Chissano as mediator in the Malagasy crisis. SADC helpfully changed its previous position, which had called for the unconditional reinstatement of Ravalomanana. The communiqué issued June 20 "urged all stakeholders to commit themselves to peaceful negotiated settlement through dialogue and desist from any violent solutions and inflammatory statements which may jeopardize and undermine current efforts in bringing constitutional normalcy."

- June 24 - July 3: The AU held its 13th summit in Sirte, but issued no resolutions on Madagascar.

- June 29 - July 3: The Malagasy transition authority (HAT) held regional conferences to discuss various issues, including the structure of government, age limits for presidential candidates, and the terms of a possible amnesty for political actors such as former President Ratsiraka, ousted President Ravalomanana, and presidential-hopeful Pierrot Rajaonarivelo. The conferences, which were decried as biased and boycotted by the other main political movements, were intended to lay the groundwork for a national conference that the HAT plans to hold by the end of July. The national conference would determine the electoral calendar and other related issues.

- July 6-7: A HAT delegation, led by Andry Rajoelina, engaged in consultations with the European Union in Brussels under Article 96 of the Cotonou Agreement regarding Madagascar's compliance with the democracy, rule of law, and human rights conditions of that agreement. The EU issued a statement July 7 in which it found the HAT's proposals to return to constitutional rule unsatisfactory and urged the HAT to continue discussions with the Malagasy political forces under the auspices of the ICG to reach a consensual agreement allowing a return to constitutional order. The EU decided to keep its development programs suspended, with the exception of humanitarian aid and other programs directly benefiting the people. A final decision regarding the Euro 630 million of frozen aid will be made in early November, when the 120-day "clock" under Article 96 expires..

ANTANANARI 00000526 004 OF 004

- July 9-12: SADC Mediator Chissano visited Madagascar to meet with the transition authority (HAT) president Andry Rajoelina, representatives of the Zafy, Ratsiraka, and Ravalomanana delegations, and civil society. He met with exiled President Ravalomanana July 12 in South Africa, and will have been in New York for UN meetings and in Paris for discussions with the French and with Ratsiraka before the next ICG. All parties expressed their willingness to return to negotiations, but no date or forum has yet been set.

15. (U) Please note that 'Tana P/E Chief Dovie Holland will attend the ICG in support of Ambassador Yamamoto. She plans to arrive in Addis on Monday, July 20, and to depart on Thursday, July 23. Country clearance has been requested separately.

MARQUARDT